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MEMO ENDORSED

-----X
 UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 INDEMNITY INSURANCE COMPANY OF
 NORTH AMERICA,

Plaintiff,

- against -

MARTINAIR; MARTINAIR HOLLAND NV;
 MARTIN AIR HOLLAND; MARTINAIR CARGO;
 ASSOCIATED TRANSPORTS;
 ASSOCIATED TRANSPORTS S.A.; LAND AIR
 EXPRESS INC.;

Defendants.
 -----X

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| ELECTRONICALLY FILED |
| DOC # |
| DATE FILED: 11/21/11 |

11 Civ. 6417 (RJS)

STIPULATION & ORDER OF DISCONTINUANCE

A settlement agreement having been reached, it is hereby stipulated and agreed that this action, including all cross-claims and claims for indemnity, is discontinued pursuant to Rule 41 (a) (1)(A)(ii) and (c) of the Federal Rules of Civil Procedure, with each party to pay its own costs and attorney fees;

It is further stipulated and agreed that, if the settlement funds are not paid within forty-five (45) days of the entry of this order, this action will be restored to the active docket of the Court upon letter application of plaintiff's counsel' and

It is further stipulated and agreed that upon delivery by defendants of the settlement funds this dismissal order will be deemed to have with-prejudice effect.

Dated: New York, New York
 November 18, 2011

So Ordered:


 United States District Judge

[signatures of counsel on p. 2]

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